

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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KENNETH C. MCKNIGHT,

Plaintiff,

v.

NORTHERN NEVADA CORRECTIONAL
CENTER, et al.,

Defendants.

3:09-cv-00757-LRH-VPC

ORDER

Before this Court is the Report and Recommendation of U.S. Magistrate Judge Valerie P. Cooke (#98¹) entered on February 7, 2012, recommending granting Defendants' Motion for Summary Judgment (#79) filed on July 11, 2011. Plaintiff filed his Objection to Magistrate Judge's Report and Recommendation (#99) on February 27, 2012, and Defendants filed their Opposition to Plaintiff's Objections to Magistrate Judge's Report and Recommendation (#100) on March 12, 2012. Plaintiff then filed his Response to Defendants' Opposition (#101) on March 20, 2012. This matter was referred to the Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 1B 1-4 of the Rules of Practice of the United States District Court for the District of Nevada.

The Court has conducted its *de novo* review in this case, has fully considered the objections and response of the Plaintiff, the response of the Defendants, the pleadings and memoranda of the parties

¹Refers to court's docket number.

1 and other relevant matters of record pursuant to 28 U.S.C. § 636 (b) (1) (B) and Local Rule IB 3-2.
2 The Court determines that the Magistrate Judge's Report and Recommendation (#98) entered on
3 February 7, 2012, should be adopted and accepted.

4 IT IS THEREFORE ORDERED that the Magistrate Judge's Report and Recommendation (#98)
5 entered on February 7, 2012, is adopted and accepted, and Defendants' Motion for Summary Judgment
6 (#79) is GRANTED as follows:

- 7 • Defendants' Motion for Summary Judgment on the issue of Eighth Amendment deliberate
8 indifference to serious medical needs against Defendants Mar and Johns is GRANTED in
9 counts I and II;
- 10 • Defendants' Motion for Summary Judgment as to Plaintiff's Eight Amendment conditions of
11 confinement claim against Defendant Gedney is GRANTED in count XV; and
- 12 • Defendants' Motion for Summary Judgment as to Defendants Perry and Benedetti based on
13 their lack of personal involvement in Plaintiff's medical care.

14 IT IS SO ORDERED.

15 DATED this 22nd day of March, 2012.



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19 LARRY R. HICKS
UNITED STATES DISTRICT JUDGE